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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,381	01/05/2006	Luigi Branchesi	05358-PCT-PA	2994
7590 10/02/2007 Armstrong Kratz Quintos Hanson & Brooks 502 Washington Avenue Suite 220 Townson, MD 21204			EXAMINER BODAWALA, DIMPLE N	
			ART UNIT 1722	PAPER NUMBER
			MAIL DATE 10/02/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,381	<b>Applicant(s)</b> BRANCHESI ET AL.	
	<b>Examiner</b> Dimple N. Bodawala	<b>Art Unit</b> 1722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

In view of the amendment, filed on July 30, 2007, following rejection and objection are withdrawn as a reason of record from the previous office action, mailed on May 01, 2007.

- ❖ Objection of claim 3.
- ❖ Rejection of claims 1-4 under 35 U S C 112, second paragraph.
- ❖ Rejection of claim 1,2, and 4 under 35 U S C 103 (a) as being unpatentable over Berman (U S Patent No. 3,891,179) in view of Walters (U S Patent No. 2,871,619).
- ❖ Allowable subject matter for claim 3.

### *Response to Arguments*

1. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

### *New Grounds of Rejections*

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 is rejected because claim 1 discloses claimed limitations such as “the catheti of a lower horizontal triangular wall” in lines 3-4, “the free edge” in lines 4-5 and “the back of the ribs” in lines 9-10. There is insufficient antecedent basis for the claimed limitations in the claim, because these limitations did not suggest or teach earlier.

5. Claim 1 is rejected because it is unclear about the meaning of the catheti of lower horizontal triangular wall.

6. Claim 4 is rejected because claim 4 recites the limitations “the connection point” in line 2 and “the two 90 degree borders” in line 3. There is insufficient antecedent basis for the claimed limitations, because claim 4 is depended on claim 1 wherein claim 1 does not teach or suggest anything related to such limitations, which make the scope of the subject matter indeterminate.

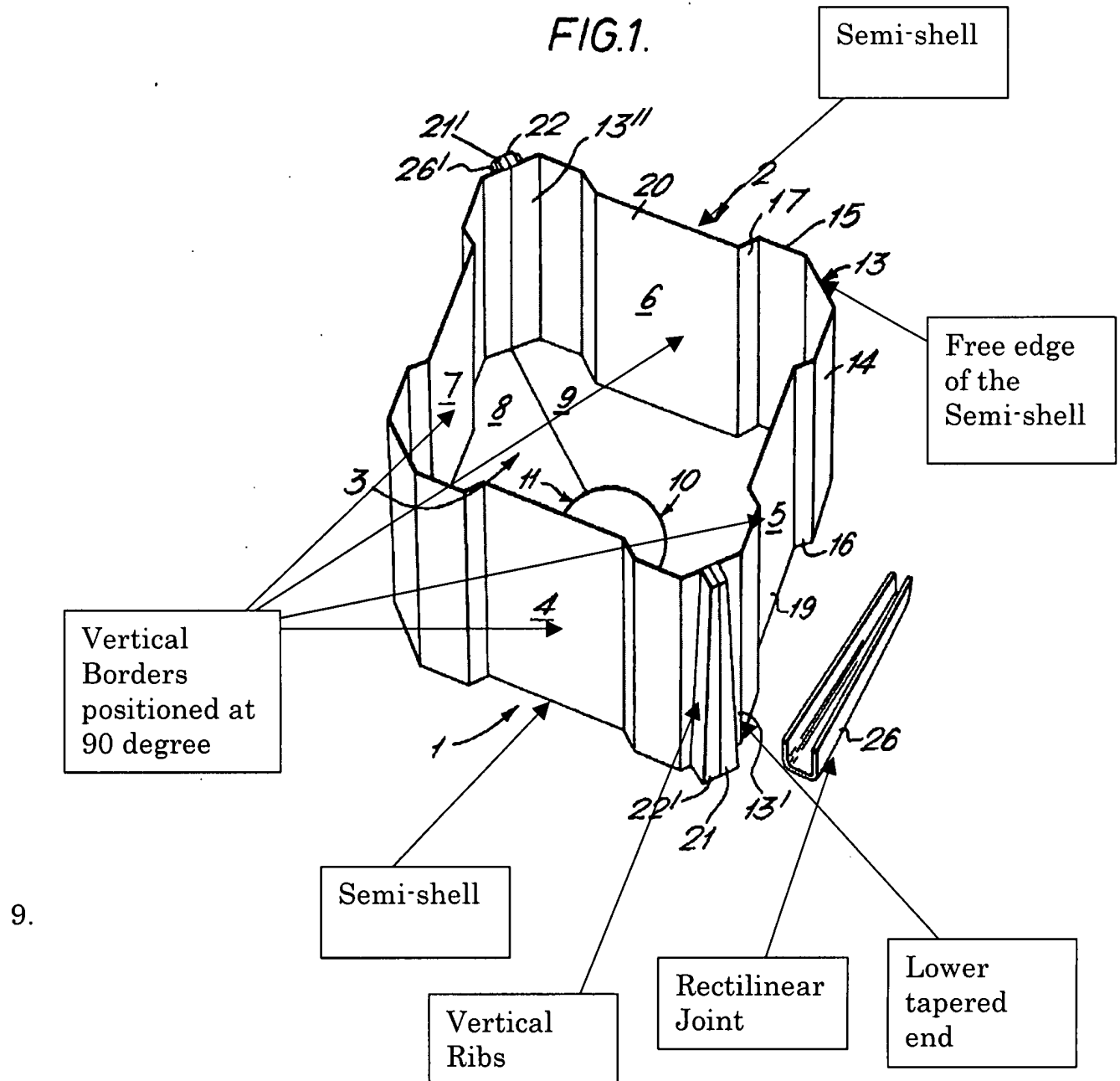
***Claim Rejections - 35 USC § 103***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carroll (GB 1 592 785) in view of Shahar (U S Patent No. 4,280,677).

Carroll ('785) discloses a mould for casting a concrete block, which comprises two identical semi shells (1,2) (See page 1 lines 65-76) obtained from molding suitable plastic material (See page 1 lines 60-64), wherein semi shell (1,2) being formed of two vertical borders (4,5,6,7) positioned at 90 degree built on the Catheti of a lower horizontal triangular wall (11,10), each of them having vertical ribs (22,21,21', 22') in external position on the free edges (13), wherein each semi-shell (1,2) being provided with lower tapered end (13'), it is being provided that one of the vertical ribs (21,22) is tightened to the adjacent identical rib (21',22') of the opposite semi shell (1,2) by means of a special rectilinear joint (26) with transversal cross section (See page 2 lines 9-24). It further teaches that the rectilinear joint (26) has a monolithic structure obtained from molding suitable plastic material.

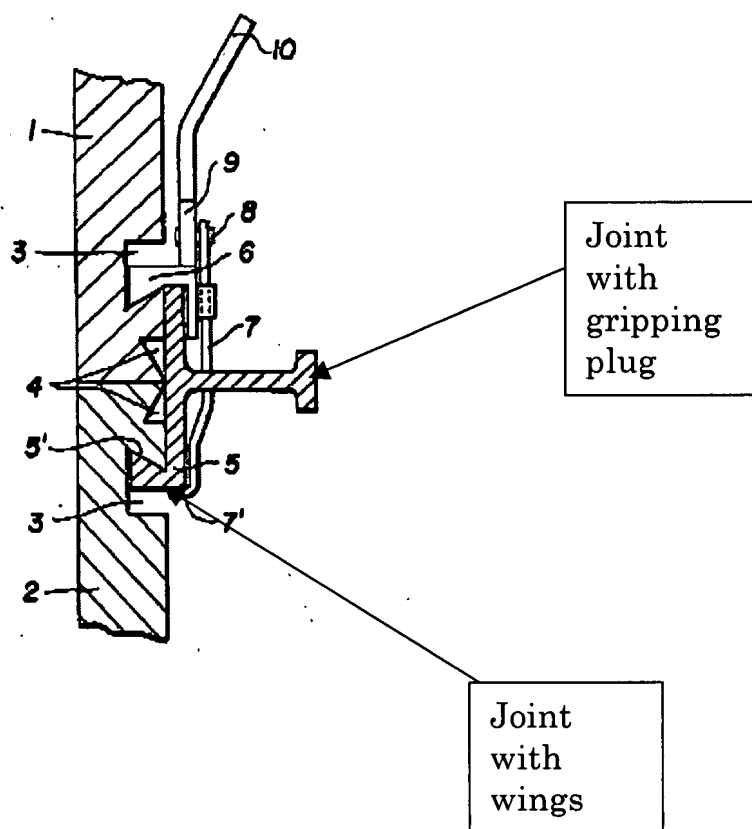
Carroll ('785) discloses all claimed structural limitations as discussed above. It further discloses monolithic structure shaped rectilinear joint but does not teach or suggest that the joint has a wing and a rear perpendicular gripping plug.



9. In the analogous art, Shahar ('677) discloses a shuttering apparatus for casting a concrete structure, which comprises means of rail (5) as a joint which is involved to connect two edges of the panel rigidly (See col.1 lines 9-

16), It further teaches that the means of rail (5) comprises tongue portion (5') which is shaped of wing and involved to engage in groove (4) of the panels rigidly during the casting portion.

It further teaches that the joint or means of rail has a rear perpendicular gripping plug, which is involved to slide the joint lengthwise into the grooves, which are provided in the panels as an improved clamping means (See col.1 lines 22-36).



It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the invention of Carroll by providing a

wing portion to the joint because such an alignment is involved to engage in groove (4) of the panels rigidly during the casting portion as suggested by Shahar.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the invention of Carroll by providing a joint with a rear perpendicular gripping plug because such an alignment is involved to help to the joint to slide lengthwise into the grooves, which are provided in the panels as an improved clamping means (See col.1 lines 22-36) as suggested by Shahar.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carroll (GB 1 592 785) in view of Shahar (U S Patent No. 4,280,677) as applied to claims 1,2 and 4 above, and further in view of Berman (U S Patent No. 3,891,179).

11. Carroll and Shahar disclose all claimed structural limitations as discussed above, but fail to teach or suggest a semi shell with a top flat stiffening edge with an appendix.

12. In the analogous art, Berman ('179) discloses casting mold which comprises two mold halves as a semi-shell, wherein each semi-shell has a top flat stiffening edge (28) with an appendix (82, 22) that projects outwards in



the connection point between the two 90 degrees borders (See col.4 lines 46-59).

13. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the invention of Carroll by providing a semi-shell with a top flat stiffening edge with an appendix because such an alignment is involved to assemble two semi-shell and define a large top opening with uniform width and desired interior of the mod (such as square) (See col.4 lines 46-59) as suggested by Berman.

### *Conclusion*


14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dimple N. Bodawala whose telephone number is (571) 272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra N. Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DNB

  
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